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Attorney Docket No. 837.1196/JDH

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 31 2004

In re Patent Application of:

Yumiko KAWASAKI, et al.

Application No.: 09/256,079

Filed: February 24, 1999

CPA Filing Date (if applicable): N/A

For: METHOD FOR OPTICAL FIBER  
COMMUNICATION, AND DEVICE  
AND SYSTEM FOR USE IN  
CARRYING OUT THE METHOD

Group Art Unit: 2874

Examiner: Unassigned

Assistant Commissioner for Patents  
Washington, D.C. 20231INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

## 1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations. (If box not checked, see Item 6, below)
- 1c. ☐ An English language copy of a Search Report or an Official Action from a counterpart foreign application or the PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before:

(Check either Item 2a or 2b)

- 2a. ☒ the latter of three (3) months after the U.S. patent application filing date or the first Office Action on the merits therein; or
- 2b. ☐ the latter of three (3) months after the continued prosecution application (CPA) filing date or the first Office Action on the merits therein.

Accordingly, no fee or § 1.97(e) Statement is required.

3. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

*(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*

- 3a. ☐ The §1.97(e) Statement in Item 5 below is applicable. Accordingly, no fee is required.

- 3b. ☐ The \$240.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is:

☐ enclosed.

☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the Final Office Action or the Notice of Allowance, but before payment of the Issue Fee.

The §1.97(e) Statement (Item 5 below) is applicable.

A Petition to the Commissioner is hereby made under 37 CFR §1.97(d) to request consideration of this Information Disclosure Statement. The \$130.00 fee set forth in 37 CFR §1.17(i) is:

☐ enclosed.

☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under §1.97(e) *(applicable if Item 3a or Item 4 is checked)*

*(Check either Item 5a or 5b)*

- 5a. ☐ In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. (Federal Register, Vol. 62, No. 197, page 53190, October 1997.)

- 5b. ☐ In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. (Federal Register, Vol. 62, No. 197, page 53190, October 1997.)

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR §1.53(b).

*(Check appropriate Items 6a and/or 6b)*

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, of which this application claims priority under 35 U.S.C. §120, have been omitted pursuant to 37 CFR §1.98(d).

- 6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, of which this application claims priority under 35 U.S.C. §120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 CFR §1.53(d).

*(Check either Item 7a or 7b)*

- 7a. ☐ The Issue Fee has not been paid.

- 7b. ☐ A Petition to Withdraw from issue under 37 CFR §1.313(b)(5) is filed concurrently herewith or has been granted. A continuation application under 37 CFR §1.53(d) after payment of the Issue Fee is proper in accordance with 37 CFR §1.53(d)(1)(ii).

8. ☐ This is a Supplemental Information Disclosure Statement.

*(Check either Item 8a or 8b)*

- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR §1.97(f) supplements the Information Disclosure Statement filed on \_\_\_\_\_. A bona fide attempt was made to comply with 37 CFR §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on \_\_\_\_\_.

- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §1.97(i), mailed \_\_\_\_\_. (MPEP 609, Form ¶ 6.51, July 1997.)

9. ☐ In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

*(Check appropriate Items 9a, 9b, 9c and/or 9d)*

- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)

- 9b. ☐ set forth in the application.

- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.

- 9d. ☐ enclosed as Attachment 1(e), hereto.

10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR §1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY

By: 

James D. Halsey, Jr.  
Registration No. 22,729

Dated: July 30, 1999  
700 Eleventh Street, N.W., Suite 500  
Washington, D.C. 20001  
Telephone: (202) 434-1500  
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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 837.1196/JDH	SERIAL NO. 09/256,079
LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)		APPLICANT Yumiko KAWASAKI, et al.	
		FILING DATE February 24, 1999	GROUP 2874

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,524,076	6/4/96	Rolland, et al.			
	AB						
	AC						
	AD						
	AE						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	AF	EP 0812075 A2	12/10/97	EPO				
	AG	GB 2308675	7/2/97	UNITED KINGDOM				
	AH	GB 2316821	3/4/98	UNITED KINGDOM				
	AI	WO 96/23372	8/1/96	PCT				
	AJ							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AK	
	AL	
	AM	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Attorney Docket No. 837.1196/JDH

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In re Patent Application of:

Yumiko KAWASAKI, et al.

Group Art Unit: Unassigned

Serial No.: Unassigned

Examiner: Unassigned

Filed: February 24, 1999

For: METHOD FOR OPTICAL FIBER COMMUNICATION, AND DEVICE AND SYSTEM FOR USE IN  
CARRYING OUT THE METHOD**INFORMATION DISCLOSURE STATEMENT**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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- 1a. ☒ Form PTO-1449.
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- 1f. ☐ List of Copending Applications (ATTACHMENT 1(e), hereto).

2. ☒ In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:*(Check appropriate Items 2a, 2b, 2c and/or 2d)*

- 2a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)
- 2b. ☐ set forth in the application.

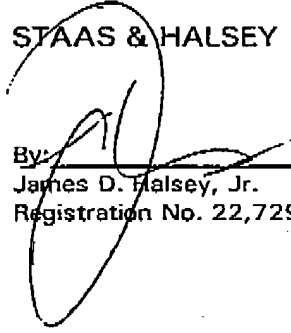
- 2c. ☒ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 2d. ☐ enclosed as Attachment 1(d), hereto.
3. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

Respectfully submitted,

STAAS & HALSEY

Dated: February 24, 1999

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James D. Halsey, Jr.  
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Sheet 1 of 1

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 837.1196/JDH	APPLICATION NO. Unassigned
	FIRST NAMED INVENTOR Yumiko KAWASAKI, et al.	
	FILING DATE February 24, 1999	GROUP ART UNIT Unassigned

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AC	61-212125	09-20-86	Japan			X	
	AD	3-171036	07-24-91	Japan			X	
	AE	9-284218	10-31-97	Japan			X	
	AF	5-110516	04-30-93	Japan			X	

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AG	
	AH	
	AI	

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	



PRIOR ART INFORMATION LIST

Your Case No.	
Our Case No.	PA98-28FT-USA

List of Prior Art	Issue date	Concise Explanation of the Relevance
JP-61-212125 A	September 20, 1986	Abstract
JP-3-171036 A	July 24, 1991	"
JP-5-110516 A	April 30, 1993	"
JP-09284218 A	October 31, 1997	"